

REMARKS

Applicants thank Examiner Nguyen for her time and consideration of the present application during the telephonic interview with Robert Madsen on February 15, 2007. During the interview, the references and proposed amendments to claims were discussed. Examiner Nguyen suggested reciting "removing" in claim 5 to positively recite the effect of exposing a metal hydride-containing gas to the treating agent.

This application is amended in a manner consistent with the Interview and believed to place it in condition for allowance at the time of the next Official Action.

Claims 1-3 and 5 are amended.

Claims 6-10 are new.

Claim 4 is cancelled.

Claims 1-3 and 5-10 remain pending in the application.

The Official Action objected to claim 1 for having informalities. Applicants acknowledge with appreciation the Examiner's suggestion for amending the claims to overcome the objection. Claim 1 is amended in a manner consistent with the Examiner's suggestions, and thus, withdrawal of the objection is respectfully requested.

Claim 1 was rejected under 35 USC §102(b) as allegedly being anticipated by PITCHAI et al. US 5,686,380 ("PITCHAI").

Claims 4 and 5 were rejected under 35 USC §103(a) as allegedly being unpatentable over PITCHAI et al. US 5,686,380 ("PITCHAI").

These rejections are respectfully traversed.

PITCHAI discloses a silver catalyst on a metal compound support. The silver is 25-60% by weight of the entire supported catalyst composition. The catalyst does not include a group VIII noble metal. The supported silver catalyst is used in a method of converting propylene to propylene oxide.

PITCHAI fails to disclose a treating agent having 0.002% to 3.0% silver, and a method of removing metal hydride gas using the treating agent. There would be no motivation to modify PITCHAI and arrive at the recited amount of silver, as PITCHAI requires greater than eight times the recited amount of silver in order for the catalyst to function as intended.

Therefore, PITCHAI fails to anticipate or render obvious claims 1 and 5, and withdrawal of these rejections is respectfully requested.

Claim 1 was rejected under 35 USC §102(b) as allegedly being anticipated by MUL et al. US 6,392,066 B1 ("MUL"). Applicants respectfully traverse the rejection.

MUL discloses a catalyst having 35% to 50% silver on a metal compound support. The catalyst does not comprise group VIII noble metal. The supported silver catalyst is used in a method of converting propylene to propylene oxide.

As MUL does not disclose of 0.002% to 3.0% silver as recited in claim 1, MUL cannot anticipate claim 1.

Therefore, applicants respectfully request that the rejection be withdrawn.

Claims 1-5 were rejected under 35 USC §103(a) as allegedly being unpatentable over KIOVSKY et al. US 3,979,332 ("KIOVSKY") taken together with PITCHAI or MUL. This rejection is respectfully traversed.

Claim 1 recites a treating agent for a metal hydride-containing gas having a non-metal oxide composition of 0.002% to 3.0% silver or group VIII noble metal supported on a metal hydroxide, a metal carbonate, a basic metal carbonate and mixtures thereof.

KIOVSKY broadly discloses catalysts for forming methane. The catalysts include metal-oxide compositions. The active metal utilized is 0.1-20% of the catalyst, and the preferred metals are iron, zinc, manganese and molybdenum because these metals provide the highest activity. The support comprises carbonates or halides (Column 3, line 52 to Column 4, line 9 and Column 5, lines 8-16). In one example, KIOVSKY silver oxide at 7.9%, and the activity was rated as low (Table II).

Accordingly, KIOVSKY fails to disclose a treating agent having a non-metal oxide silver composition with 0.002-3.0% weight silver or a non-metal oxide group VIII noble metal composition with 0.002-3.0% group VIII noble metal as recited in

claim 1-3, or removing metal hydride gas from an exhaust gas by exposing a gas to such a treating agent as recited in claim 5.

PITCHAI and MUL are offered for the same reasons as discussed above. While PITCHAI and MUL disclose non-metal oxide silver-containing catalysts, they cannot remedy the deficiencies of KIOVSKY for reference purposes. PITCHAI and MUL teach catalysts for a different purpose than KIOVSKY and the present claims. PITCHAI and MUL also fail to disclose using silver in a catalyst composition at less than 25%.

Moreover, KIOVSKY appears to teach away from selecting 0.002-3.0% of silver. The only example with silver in KIOVSKY provides a low activity at 7.9%, and KIOVSKY states that is preferred to use high activity metals. Thus, one would expect the activity of the catalyst to be even lower at less than half the amount of active metal.

Therefore, claims 1-3 and 5 are not rendered obvious by the proposed combination of KIOVSKY taken together with PITCHAI or MUL, and withdrawal of the rejection is respectfully requested.

New claims 6-8 recite a treating agent with a non-oxide metal composition comprising a group VIII noble metal supported on a metal compound. As discussed above, KIOVSKY, PITCHAI and MUL all fail to disclose or suggest group VIII noble metal. Thus, claims 6-8 are also considered to be novel and non-obvious over KIOVSKY, PITCHAI and MUL, taken alone or together.

New claims 9 and 10 recite a method comprising removing metal hydride gas with a treating agent comprising a non-oxide metal composition with silver or a group VIII noble metal supported on a metal compound. KIOVSKY, PITCHAI and MUL all fail to disclose or suggest removing metal hydride gas. During the interview the Examiner raised the issue of restriction as to the subject matter of claims 9 and 10. However, a method of treating an exhaust gas with the recited treating agent has already been examined (e.g. previously presented claim 5). Accordingly, applicants respectfully submit that the potential withdrawal of claims 9 and 10 as not being originally presented and elected would be improper.

Therefore, applicants respectfully request a search and examination of all of the pending claims in their full scope.

In view of the above, applicants believe that the application is in condition for allowance at the time of the next Official Action. Allowance and passage to issue on that basis are therefore respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any

overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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